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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

THEODORE ELLISON,	)	Civil Action No. C 09-2513 VRW
	)	
Plaintiff,	)	
	)	
vs.	)	<b>STIPULATION AND <del>PROPOSED</del></b>
	)	<b>ORDER PERMITTING FILING OF</b>
LAMPS PLUS, INC. and QUOIZEL, INC.	)	<b>SECOND AMENDED COMPLAINT</b>
	)	
Defendants.	)	

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Whereas, during the pendency of this action the Copyright Office has issued to plaintiff six additional copyright registrations. Plaintiff contends that these additional copyrights have been infringed by one or more of existing defendants Lamps Plus, Inc. ("Lamps Plus"), Quoizel, Inc. ("Quoizel"), and/or by new potential defendant, Dale Tiffany, Inc. ("Dale Tiffany"), either alone or in combination with one another as set forth in the proposed Second Amended Complaint, and;

Whereas, absent this stipulation plaintiff would file a motion for leave to file a second amended complaint in substantially the form of Exhibit A hereto.

NOW THEREFORE IT IS STIPULATED BY THE PARTIES HERETO THAT:

1. The Court may issue its order, as herein provided, allowing the filing of the Second Amended Complaint in the form attached hereto as Exhibit A.

2. This Stipulation and the resulting Order shall not prejudice the right of any party to apply to the Court in the future for bifurcation of the case and/or separate trials according to parties, issues or pretrial procedures should they determine that it is in their interests, or the interests of justice, to do so.

Dated: December 8, 2009

By /s/Charles D. Chalmers  
Charles D. Chalmers  
Attorney for Plaintiff

TOWNSEND TOWNSEND AND CREW LLP

Dated: December 8, 2009

By /s/David J. Tsai  
Louise E. Ma  
David J. Tsai  
Attorneys for Defendant Quozel, Inc.

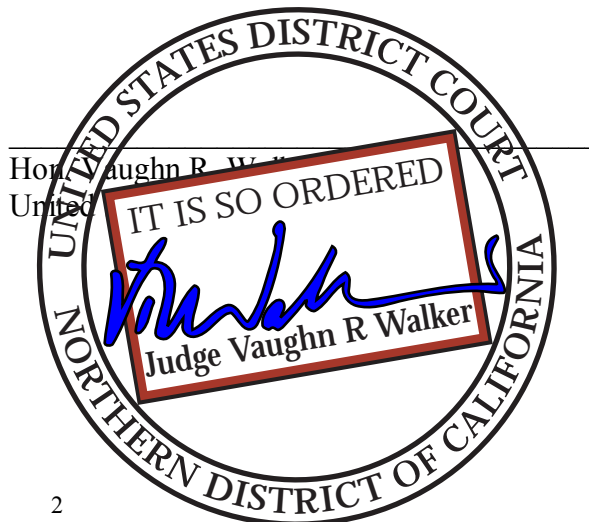
CONNOLLY BOVE LODGE & HUTZ LLP

Dated: December 8, 2009

By /s/Scott R. Miller  
Scott R. Miller  
Attorneys for Defendant Lamps Plus, Inc.

IT IS SO ORDERED.

December 16, 2009



**GENERAL ORDER 45 ATTESTATION**

I, Charles D. Chalmers, am the ECF user whose ID and password are being used to file this **STIPULATION AND [PROPOSED] ORDER PERMITTING FILING OF SECOND AMENDED COMPLAINT**. In compliance with General Order 45, X.B., I hereby attest that David J. Tsai and Scott R. Miller have concurred in this filing.

/s/ Charles D. Chalmers